

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41594 of 2024

Arising Out of PS. Case No.-180 Year-2024 Thana- KOTWALI District- Patna

Md. Junaid @ Md. Junair S/O Abdul Sattar @ Md. Sattar R/O Village- Goriya Toli, P.S- Kotwali, Patna Junction, Distt.- Patna, Permanent Resident Of Village- Jaffar Patti, P.O And P.S- Jaffar Patti, Deshri, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Ranjan Sinha, Advocate
Mr. Dhananjay Sinha, Advocate
For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

7 17-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2.The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 376, 420 and 406 of the Indian Penal Code.

3. The case of the prosecution is that the petitioner is a distant relative of the informant due to previous relation in the year 2020, they started a joint venture of tiffin supply. It is further alleged that the informant has provided Rs. 50,000/- after selling her jewellery for the business. It is also alleged that on the false promise of marriage, the petitioner established physcial relationship with the informant. He used to keep all the cash with him and was not giving a single penny to the



informant. When the informant pressurised him for marriage, he assaulted her and made obscene video and also threatened her of dire consequences.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted by learned counsel for the petitioner that the statement of victim was recorded under Section 164 of the Cr.P.C. wherein she stated that her husband left her seven years ago after that she developed relationship with this petitioner who was a remote relative. After that, they developed a relationship and they started living with him. It is further stated by her that she used to cook food for 150 persons and all the cash was being kept by this petitioner. It is also alleged that petitioner has promised to marry her but he denied to marry her and he has taken all the cash. From perusal of the FIR and the statement of the informant recorded under Section 164 of the Cr.P.C. it is clear that informant was in live in relationship with the petitioner and there was some dispute regarding cash pertaining to business of tiffin supply. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since



17.03.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kotwali P.S. Case No. 180 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Patna Sadar, Patna.

(Ashok Kumar Pandey, J)

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